



# STATE OF WISCONSIN

# Senate Journal

## Ninety–Fourth Regular Session

10:00 A.M.

THURSDAY, March 16, 2000

The Senate met.

The Senate was called to order by Senator Fred Risser.

The Chair, with unanimous consent, asked that the proper entries be made in the journal.

### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

#### Senate Bill 474

Relating to: sales of fruit–based intoxicating liquor for consumption on the premises where manufactured or rectified.

By Senator Erpenbach; cosponsored by Representative Skindrud.

To committee on **Insurance, Tourism, Transportation and Corrections.**

#### Senate Bill 475

Relating to: pupil assessments and to private schools participating in the Milwaukee parental choice program.

By Senator Grobschmidt; cosponsored by Representative Sinicki.

To committee on **Education.**

#### Senate Bill 476

Relating to: expanding medical assistance income eligibility requirements for elderly persons; requiring pharmacies and pharmacists, as a condition of medical assistance participation, to charge elderly, low–income persons for prescription drugs no more than specific amounts; authorizing the department of health and family services to enter into rebate agreements with drug manufacturers; limiting prior authorization requirements under medical assistance; and making appropriations.

By Senators Rosenzweig, Panzer, Welch, Huelsman, Zien, Darling, Drzewiecki, Schultz, Roessler, A. Lasee, Rude, Farrow and Fitzgerald; cosponsored by Representatives Wieckert, Pettis, Petrowski, Underheim, Kestell, Montgomery, Olsen, Jeskewitz, Urban, Skindrud, Hundertmark, Hahn, Rhoades, Townsend, Hoven, Owens, Hutchison, Duff, Stone, Spillner and Huebsch.

To committee on **Health, Utilities, Veterans and Military Affairs.**

#### Senate Bill 477

Relating to: grants for the establishment and operation of reading academies and making an appropriation.

By Senators Grobschmidt and Shibilski; cosponsored by Representatives Olsen and Underheim.

To committee on **Education.**

#### Senate Bill 478

Relating to: the maintenance and development of habitat areas, all–terrain vehicle gas tax payments, river protection grant amounts, rules for river grant eligibility, rules for lake management project grants and making appropriations.

By Senators Shibilski, Cowles and Clausing; cosponsored by Representatives Johnsrud, Huber, Vrakas and Hasenohrl.

To committee on **Agriculture, Environmental Resources and Campaign Finance Reform.**

#### Senate Bill 479

Relating to: pest management by school districts.

By Senators Clausing, Darling, Burke, Risser, Schultz, Rosenzweig, Plache, Moore, Grobschmidt, Robson and Wirsch; cosponsored by Representatives Riley, Bock, Wasserman, La Fave and Black.

To committee on **Agriculture, Environmental Resources and Campaign Finance Reform.**

#### Senate Bill 480

Relating to: creating a taxpayer bill of rights, filing tax returns and paying taxes electronically, paying taxes in instalments, reducing nondelinquent taxes, tape–recording in–person interviews with the department of revenue, the liability of married persons filing a joint income tax return, tax audits and making appropriations.

By Senators Clausing, Burke, Risser, Breske, Wirsch, Shibilski and Robson; cosponsored by Representatives Plouff and Wood.

To committee on **Economic Development, Housing and Government Operations.**

#### Senate Bill 481

Relating to: transmission company duties; contributions of transmission facilities to the transmission company; nitrogen oxide emissions standards and limitations; air quality improvement program assessments; and making an appropriation.

By Senator Moen; cosponsored by Representative Hoven, by request of Governor Tommy G. Thompson.

To committee on **Health, Utilities, Veterans and Military Affairs.**

#### Senate Bill 482

Relating to: an income tax and franchise tax credit for expenses paid on behalf of an undergraduate student.

By Senators Shibilski, Moore and Darling; cosponsored by Representative Olsen.

To committee on **Economic Development, Housing and Government Operations.**

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## PETITIONS AND COMMUNICATIONS

### State of Wisconsin

March 14, 2000

The Honorable, The Senate:

Pursuant to Senate Rule 20 (2)(a), I am making the following appointments to Senate Committees:

To the committee for Review of Administrative Rules, Senator Dale Schultz to replace Senator Alberta Darling;

To the committee on Judiciary and Consumer Affairs, Senator Gary Drzewiecki, to replace Senator Alberta Darling;

To the committee on Health, Utilities, Veterans and Military Affairs, Senator Peggy Rosenzweig to replace Senator Gary Drzewiecki.

With regards to members of the minority party, the appointment reflects the recommendations of that caucus.

Sincerely,

CHUCK CHVALA  
Chair, Committee on Senate Organization

### State of Wisconsin

March 14, 2000

The Honorable, The Senate:

I am writing to resign from the Joint Survey Committee on Tax Exemptions.

Thank you for your attention to this matter.

Sincerely,

ROBERT L. COWLES  
State Senator

### State of Wisconsin

March 14, 2000

The Honorable, The Senate:

Pursuant to Senate Rule 20 (2)(a), I am appointing Senator Joanne Huelsman to the Joint Survey committee on Tax Exemptions, to replace Senator Robert Cowles.

With regards to members of the minority party, the appointment reflects the recommendations of that caucus.

Sincerely,

CHUCK CHVALA  
Chair, Committee on Senate Organization

### State of Wisconsin

March 8, 2000

The Honorable, The Senate:

I am writing to request that I be added as a cosponsor of Senate Bill 353, relating to funding for food pantries.

Sincerely,

JOHN STEINBRINK  
State Representative

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## REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

The committee on **Economic Development, Housing and Government Operations** reports and recommends:

### Senate Clearinghouse Rule 99–154

Relating to the Wisconsin land information program grants—in-aid to local government.

No action taken.

Robert Wirsch  
Chairperson

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## MESSAGES FROM THE ASSEMBLY

By Charles Sanders, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

**Assembly Bill 151**

**Assembly Bill 187**

**Assembly Bill 455**

**Assembly Bill 627**

**Assembly Bill 639**

**Assembly Bill 650**

**Assembly Bill 651**

**Assembly Bill 652**

**Assembly Bill 653**

**Assembly Bill 710**

**Assembly Bill 711**

**Assembly Bill 794**

**Assembly Bill 796**

**Assembly Bill 802**

Adopted and asks concurrence in:

**Assembly Joint Resolution 104**

**Assembly Joint Resolution 116**

**Assembly Joint Resolution 117**

Concurrede in:

**Senate Bill 287**

**Senate Bill 350**

**Senate Bill 381**

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## MESSAGES FROM THE ASSEMBLY CONSIDERED

### Assembly Bill 151

Relating to: expenditure of \$12,600 from the general fund in payment of a claim against the state made by Alan and Marlene Sieker.

By Representative Albers; cosponsored by Senator Schultz.

Read first time and referred to committee on **Economic Development, Housing and Government Operations**.

**Assembly Bill 187**

Relating to: establishing a service award program for volunteer fire fighters and emergency medical technicians, creating a volunteer fire fighter and emergency medical technician service award board, requiring the exercise of rule-making authority and making appropriations.

By Representatives Powers, Musser, Klusman, Gunderson, Gronemus, Kreibich, Duff, Huebsch, Handrick, Sykora, Porter, Schneider, Freese, Sherman, Miller, Hasenohrl, Ainsworth, Brandemuehl, Suder, Spillner, Owens, Ryba, Lassa, Johnsrud, Seratti, Boyle, Kestell, Hoven, Hebl, Nass, Albers, Petrowski, Ott, Olsen, Reynolds, Hutchison, Skindrud, Hahn, Rhoades, Hundertmark and Pettis; cosponsored by Senators Zien, Shibilski, Welch, Breske, Fitzgerald, Schultz, Drzewiecki, Rude, Moen, Darling, A. Lasee, Wirch, Roessler, Panzer, Baumgart, Lazich and Farrow.

Read first time and referred to committee on **Labor**.

**Assembly Bill 455**

Relating to: establishing a presumption for employment-connected disease for state and county fire fighters.

By Representatives Spillner, Brandemuehl, Freese, Goetsch, Gunderson, Hahn, Handrick, Hasenohrl, Kelso, Ladwig, Lassa, Miller, Musser, Olsen, Schneider, Sykora and Waukau; cosponsored by Senators Plache, Robson, Roessler and Schultz.

Read first time and referred to committee on **Labor**.

**Assembly Bill 627**

Relating to: registration of reductions in certain air emissions and granting rule-making authority.

By Representatives Kaufert, Bock, Turner, Plouff, Black, J. Lehman, Poca, Miller and Sinicki; cosponsored by Senators Burke, Cowles, Clausing, Rosenzweig, Darling and Roessler.

Read first time and referred to committee on **Agriculture, Environmental Resources and Campaign Finance Reform**.

**Assembly Bill 639**

Relating to: nonmoving traffic violations involving rented or leased motor vehicles.

By Representatives Duff, Stone, M. Lehman, Urban, Nass, Ladwig, Kedzie, Suder, Huebsch, Pettis, Ward, Sykora and Grothman; cosponsored by Senators Wirch, Farrow and Huelsman.

Read first time and referred to committee on **Insurance, Tourism, Transportation and Corrections**.

**Assembly Bill 650**

Relating to: expenditure of \$9,926 from moneys appropriated to the department of transportation in payment of a claim against the state made by Robert and Dorothy Messner.

By Representative Albers; cosponsored by Senator Burke, by request of The Claims Board.

Read first time and referred to committee on **Economic Development, Housing and Government Operations**.

**Assembly Bill 651**

Relating to: expenditure of \$13,785.25 from moneys appropriated to the department of transportation in payment of a claim against the state made by the city of West Allis.

By Representative Albers; cosponsored by Senator Burke, by request of The Claims Board.

Read first time and referred to committee on **Economic Development, Housing and Government Operations**.

**Assembly Bill 652**

Relating to: expenditure of \$56,300 from moneys appropriated to the department of transportation in payment of a claim against the state made by the city of West Allis.

By Representative Albers; cosponsored by Senator Burke, by request of The Claims Board.

Read first time and referred to committee on **Economic Development, Housing and Government Operations**.

**Assembly Bill 653**

Relating to: expenditure of \$76,150 from moneys appropriated to the department of transportation in payment of a claim against the state made by Walworth County.

By Representative Albers; cosponsored by Senator Burke, by request of The Claims Board.

Read first time and referred to committee on **Economic Development, Housing and Government Operations**.

**Assembly Bill 710**

Relating to: the reorganization and modernization of chapter 66 of the statutes.

By Joint Legislative Council.

Read first time and referred to committee on **Economic Development, Housing and Government Operations**.

**Assembly Bill 711**

Relating to: termination of tenancy for posing direct threat of physical harm or injury to persons or substantial risk of physical damage to property.

By Representatives Sykora, Underheim, Stone, Kestell, Hahn, Ladwig, Musser, Reynolds, Olsen, Kreibich, Ainsworth, Vrakas, Owens, Kelso, Wasserman, Gunderson and Nass; cosponsored by Senators Welch, Fitzgerald, Roessler, Darling and Farrow.

Read first time and referred to committee on **Economic Development, Housing and Government Operations**.

**Assembly Bill 794**

Relating to: maximum gross vehicle weight of motor trucks transporting exclusively milk.

By Representatives Brandemuehl, Townsend, Gronemus, Powers, Kreuser, Ryba, Pettis, Kestell, Spillner, Grothman, Seratti, Ainsworth, Hundertmark, Musser, Owens, Plouff, Gunderson and Sykora; cosponsored by Senators Breske, Fitzgerald, Clausing, A. Lasee and Farrow.

Read first time and referred to committee on **Insurance, Tourism, Transportation and Corrections**.

**Assembly Bill 796**

Relating to: the state fair park board; authorizing the creation of private corporations to provide support for the state fair park; construction and leasing of buildings, structures and facilities at the state fair park; and making an appropriation.

By Representatives Staskunas, Gunderson, La Fave, Hutchison, Duff, Walker, Meyerhofer, Ryba, Kreuser, Ward,

Plale, Hasenohrl, Bock, Hundertmark, Jensen, Krug, Kaufert, Stone, Vrakas, Underheim, Wasserman and Krusick; cosponsored by Senators Rosenzweig, Farrow, Clausing, Grobschmidt, Roessler, Welch and George.

Read first time and referred to committee on **Agriculture, Environmental Resources and Campaign Finance Reform.**

**Assembly Bill 802**

Relating to: supplemental funding for elderly nutrition programs and making appropriations.

By Representatives Sykora, Pettis, Petrowski, Ainsworth, Suder, Huebsch, Montgomery and Gard; cosponsored by Senators Shibilski, Burke, Drzewiecki, Decker and Clausing.

Read first time and referred to committee on **Human Services and Aging.**

**Assembly Joint Resolution 104**

Relating to: urging a study of whether electronic commerce should be taxed and the extension of the federal moratorium on the taxation.

By Representatives Stone, Suder, Pettis, Hundertmark, Petrowski, Walker, Spillner, Jeskewitz, Urban, Albers, Sykora, Gunderson, Owens, F. Lasee, Kreibich and Klusman; cosponsored by Senators Roessler, Welch, Darling, Farrow and Schultz.

Read and referred to committee on **Privacy, Electronic Commerce and Financial Institutions.**

**Assembly Joint Resolution 116**

Relating to: creating a committee of conference on 1999 Senate Bill 450, relating to the distribution of national forest income payments from the federal government and making appropriations.

By Representatives Seratti, Foti, Spillner, Handrick, Hundertmark, Albers, Kestell, Pettis, F. Lasee, Hahn, Ainsworth, Kaufert, Jensen, Kreuser, Waukau, Sherman, Reynolds, Pocan and Meyerhofer; cosponsored by Senator Breske.

Read and referred to committee on **Senate Organization.**

**Assembly Joint Resolution 117**

Relating to: creating a committee of conference on 1999 Senate Bill 125, relating to operating a motor vehicle while under the influence of an intoxicant or drugs, or both;

installation of an ignition interlock device in cases involving intoxicated operation of a motor vehicle; seizure of motor vehicles for offenses related to driving while under the influence of an intoxicant; the prohibited alcohol concentration related to operating a motor vehicle while under the influence of an intoxicant; creating a safe-ride grant program; certain alcohol beverage offenses committed by persons under the legal drinking age; making an appropriation; and providing penalties.

By Representatives Foti and Stone.

Read and referred to committee on **Senate Organization.**

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**ADJOURNMENT**

Senator Risser, with unanimous consent, asked that the Senate adjourn until Tuesday, March 21 at 10:00 A.M..

Adjourned.

10:01 A.M.

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**LEGISLATIVE REFERENCE BUREAU  
CORRECTIONS**

**CORRECTIONS IN:**

**1999 SENATE BILL 443**

Prepared by the Legislative Reference Bureau  
(March 14, 2000)

1. Page 2, line 13: after "Richland" insert "County".

NOTE: This change reflects the drafting record content of this bill.

**CORRECTIONS IN:**

**ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY SUBSTITUTE  
AMENDMENT 2,  
TO 1999 ASSEMBLY BILL 806**

Prepared by the Legislative Reference Bureau  
(March 14, 2000)

1. Page 1, line 2: delete "duration of" and substitute "more".

NOTE: This change reflects the drafting record content for Assembly Amendment 1.